



Docket No. 2797.1002-007

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Inventor(s): Charles H. Bianchi, Ken C. Greenwood and John Sabat, Jr.

Application No./Patent No.: 10/606,655 Filed/Issue Date: June 26, 2003

For: **ARCHITECTURE FOR SIGNAL DISTRIBUTION IN WIRELESS DATA NETWORKS**

OpenCell, Inc., a Corporation,
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. [] the assignee of the entire right, title and interest in the patent application identified above; or

B. [] an assignee together with [] of the entire right, title and interest in the patent application identified above.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. [X] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel , Frame or a copy thereof is attached.

OR

- B. [] A chain of title from the inventor(s) of the patent application identified above, to the current assignee, as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.
 2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.
 3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

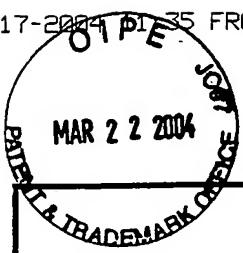
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 3/16/04

Name: John Sabat Jr.

Title: VP & CTO

Signature: John Shat Jr



HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT AND
CORRESPONDENCE ADDRESS**

<i>Application Number</i>	10/606,655
<i>Filing Date</i>	June 26, 2003
<i>First Named Inventor</i>	Charles H. Bianchi
<i>Confirmation Number</i>	4692
<i>Group Art Unit</i>	2661
<i>Examiner Name</i>	
<i>Attorney Docket Number</i>	2797.1002-007

<i>Title</i>	ARCHITECTURE FOR SIGNAL DISTRIBUTION IN WIRELESS DATA NETWORKS
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I/We hereby appoint

the attorneys/agents associated with Customer No. 021005

Practitioner(s) named below:

as my/our attorneys/agents to prosecute the application identified above, including any continuation or divisional applications thereof, and to transact all business in the United States Patent and Trademark Office connected therewith.

The correspondence address for the above-identified application is:

Customer Number 021005

Hamilton, Brook, Smith & Reynolds, P.C.
530 Virginia Road
P.O. Box 9133
Concord, Massachusetts 01742-9133

Other _____

Please direct all telephone calls and facsimiles to:

Name David J. Thibodeau, Jr. Tel. No. 978-341-0036 Fax No. 978-341-0136

I am the:

Applicant/Inventor.

Authorized representative of the Assignee, OpenCell, Inc., of the entire interest. See 37 C.F.R. § 3.71. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

Authorized representative of the Assignee, [], together with [], of the entire interest. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

SIGNATURE of Applicant or Assignee of Record

Name & Title	John Sabat Jr	VPS CTO
Signature		
Date	3/17/2004	

ASSIGNMENT

COPY
Joint

WHEREAS, we, **Charles H. Bianchi, Ken C. Greenwood and John Sabat, Jr.**, have invented a certain improvement in **ARCHITECTURE FOR SIGNAL DISTRIBUTION IN WIRELESS DATA NETWORKS** described in an application for Letters Patent of the United States;

- [] the specification of which is being executed on even date herewith and is about to be filed in the United States Patent Office (*use for 37 CFR §1.53(b) filings only*);
- [X] the specification of which was filed on **June 26, 2003** as United States Application No. **10/606,655**;
- [] the specification of which is the United States National Stage of International Application No. [PCT Appl'n No.], filed on [PCT Filing Date] [OPTION and assigned United States Application No. []] (*use for 35 USC §371 filings only*);
- [] which was patented under United States Patent No. [] on [].

WHEREAS, **OpenCell, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware**, and having a usual place of business at **955 Perimeter Road, Manchester, New Hampshire 03103** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its

successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: _____ **Charles H. Bianchi**

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named **Charles H. Bianchi** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20 _____.

(SEAL)

Notary Public

(print name)

My Commission expires _____ / _____ / _____

Inventor's Signature: _____

Ken C. Greenwood

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named **Ken C. Greenwood** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20 _____.

(SEAL)

Notary Public

(print name)

My Commission expires _____ / _____ / _____

Inventor's Signature: _____



John Sabat, Jr.

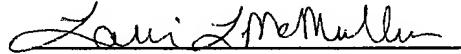
State/Commonwealth

of New Hampshire

County of Hillsborough

Then personally appeared before me the above-named **John Sabat, Jr.** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 28th day of October, 2003.

(SEAL)



Notary Public

Lauri L. McMullen (print name)

My Commission expires 12 / 16 / 05

LAURI L. MCMULLEN
NOTARY PUBLIC, NEW HAMPSHIRE
MY COMMISSION EXPIRES 12/16/05

Joint
ASSIGNMENT

WHEREAS, we, **Charles H. Bianchi, Ken C. Greenwood and John Sabat, Jr.**, have invented a certain improvement in **ARCHITECTURE FOR SIGNAL DISTRIBUTION IN WIRELESS DATA NETWORKS** described in an application for Letters Patent of the United States,

- [] the specification of which is being executed on even date herewith and is about to be filed in the United States Patent Office (*use for 37 CFR §1.53(b) filings only*);
- [X] the specification of which was filed on **June 26, 2003** as United States Application No. **10/606,655**;
- [] the specification of which is the United States National Stage of International Application No. [PCT Appl'n No.], filed on [PCT Filing Date] [OPTION and assigned United States Application No. []] (*use for 35 USC §371 filings only*);
- [] which was patented under United States Patent No. [] on [].

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NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its

successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: _____ **Charles H. Bianchi**

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named **Charles H. Bianchi** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20 _____.

(SEAL)

Notary Public

(print name)

My Commission expires _____ / _____ / _____

Inventor's Signature: Ken C. Greenwood
Ken C. Greenwood

State/Commonwealth
of New Hampshire
County of Gilford

Then personally appeared before me the above-named **Ken C. Greenwood** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 21 day of October, 2003.

(SEAL)

Wanda L. Jenkins Notary Public
Wanda L. Jenkins (print name)

My Commission expires

/ /
WANDA L. JENKINS, Justice of the Peace
WANDA L. JENKINS, Justice of the Peace
My Commission Expires April 7, 2004

Inventor's Signature: John Sabat, Jr.

State/Commonwealth
of _____
County of _____

Then personally appeared before me the above-named **John Sabat, Jr.** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20 _____.

(SEAL)

Notary Public

(print name)

My Commission expires _____ / _____ / _____

Joint

ASSIGNMENT

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- [X] the specification of which was filed on **June 26, 2003** as United States Application No. **10/606,655**;
- [] the specification of which is the United States National Stage of International Application No. [PCT Appl'n No.], filed on [PCT Filing Date] [OPTION and assigned United States Application No. []] (*use for 35 USC §371 filings only*);
- [] which was patented under United States Patent No. [] on [].

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NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention; application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its

successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature:

Charles H. Bianchi

State/Commonwealth

of New Hampshire

County of Strafford

Then personally appeared before me the above-named **Charles H. Bianchi** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 20th day of October, 2003.

(SEAL)

Notary Public

(print name)

My Commission expires 09/19/06

DONNA L. HAMEL, Notary Public
Justice of the Peace
My Commission Expires September 19, 200

Inventor's Signature: Ken C. Greenwood

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named **Ken C. Greenwood** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20 _____.

(SEAL) _____ Notary Public

(print name)

My Commission expires _____ / _____ / _____

Inventor's Signature: John Sabat, Jr.

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named **John Sabat, Jr.** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20 _____.

(SEAL) _____ Notary Public

(print name)

My Commission expires _____ / _____ / _____